

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Richmond Division

IN RE:)	
)	
JENNIFER LEE SMITH)	Case No. 21-31975-KRH
)	Chapter 13
Debtor)	

DEBTOR'S OBJECTION TO CLAIM NUMBER 7

COMES NOW, the Debtor, by counsel, pursuant to 11 U.S.C. § 502(a) and Bankruptcy Rule 3007, and for Debtor's Objection to Claim Number 7 by First Investors Financial Servicing Corporation ("First Investors"), states as follows:

1. The Debtor hereby objects to Claim Number 7 by First Investors Financial Servicing Corporation for a purported secured debt in the amount of \$21,409.42 ("Claim"), on the grounds that the Claim is not secured.
2. The Claim purports to be secured by a 2011 Nissan Maxima-V6 ("Vehicle").
3. The Vehicle was repossessed by First Investors and subsequently sold at auction in October 2018.
4. One of the exhibits to the Claim is a check from America's Auto Auction Virginia for \$5880.00 as proceeds from the auction.

WHEREFORE, the Debtor respectfully requests that the foregoing objection be sustained, that Claim Number 7 by First Investors Financial Servicing Corporation be disallowed

James E. Kane (VSB #30081)
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Counsel for Debtor

as a secured debt, that said Claim be allowed as an unsecured debt, and for such other relief as the Court deems appropriate.

JENNIFER LEE SMITH

By: /s/ James E. Kane
Counsel

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Email: jkane@kaneandpapa.com
Counsel for Debtor

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2021, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties registered to receive notice thereof, and will mail a copy hereof by first class mail, postage prepaid, to:

First Investors Financial Servicing Corporation
3065 Akers Mill Road
Suite 700
Atlanta, GA 30339

First Investors Financial Servicing Corporation
c/o Corporation Service Company, R/A
100 Shockoe Slip, Floor 2
Richmond, VA 23219

/s/ James E. Kane
James E. Kane

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NOTICE OF OBJECTION TO CLAIM

The above Debtor has filed an objection to your claim in the above bankruptcy case.

Your claim may be reduced, modified or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to change or eliminate your claim, then, within thirty (30) days of service of this Notice you or your attorney must:

- File with the court, at the address shown below, a written response to the objection and request for a hearing. **Unless a written response is filed and served by the date specified, the court may decide that you do not oppose the objection to your claim.** If you mail your response to the court for filing, you must mail it early enough so that the court will receive it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219

You must also mail a copy to:

James E. Kane, Esquire
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, Virginia 23219

- Attend a hearing scheduled at a later date. You will receive a separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim.

Date: July 21, 2021

JENNIFER LEE SMITH

By: /s/ James E. Kane
Counsel

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